

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PHILLIP S. HUDSON,

Petitioner,

v.

TERRY RUSSELL,

Respondent.

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No. 4:13-CV-1992-FRB

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court on petitioner's motion to proceed in forma pauperis. Petitioner, a Missouri state prisoner, seeks a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner is incarcerated in the Eastern District of Missouri. Petitioner's conviction, however, arose in the Western District of Missouri.


Both the Eastern and Western Districts of Missouri have jurisdiction over the petition. See 28 U.S.C. § 2241(d). Nevertheless, the Court may transfer the petition to the Western District "in furtherance of justice . . ." Id. Additionally, an administrative order of this Court provides that, absent any unusual circumstances, any habeas petition challenging a conviction or sentence arising out of a proceeding in the Western District of Missouri should be transferred to that district. In re Business of the Court, January 27, 1986. Therefore, this case will be transferred to the United States District Court for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion to proceed in forma pauperis is **provisionally GRANTED**, subject to modification by the United States District Court for the Western District of Missouri.

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. See 28 U.S.C. § 2241(d).

Dated this 18th day of October, 2013.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE